

1 **LUJAN, UNPINGCO, AGUIGUI & PEREZ LLP**
2 Attorneys at Law
3 Pacific News Building, Suite 300
4 238 Archbishop Flores Street
Hagåtña, Guam 96910
Telephone (671) 477-8064/5
Facsimile (671) 477-5297

5 Attorney for Plaintiffs

FILED
DISTRICT COURT OF GUAM

AUG - 8 2005 *9P*

MARY L.M. MORAN
CLERK OF COURT

6
7 **IN THE UNITED STATES DISTRICT COURT OF GUAM**

8
9 **FOR THE TERRITORY OF GUAM**

10 Cess Navarro Olmo, Ronnie Pascual
11 Ferreras,

12 Plaintiffs,

13 -vs-

CIVIL CASE NO.05-00025

14
15 A.P. Green Industries, Inc., A.P. Green
16 Services, Inc., A.W. Chesterton Company,
17 Amchem Products, Inc., Armstrong World
18 Industries, Inc. Asbestos Claims
19 Management Corporation, Babcock &
20 Wilcox Company, Combustion
21 Engineering, Inc., Dow Chemical Company,
22 Dresser Industries, Inc., Flexitallic, Inc.,
23 Flintkote Company, Foster Wheeler Corp.,
24 GAF Corporation, Garlock, Inc., Georgia-
Pacific Corporation, Harbison-Walker
Refractories Co., Honeywell International,
Inc., Indresco, Inc., John Crane, Inc., Kaiser
Gypsum Company, Inc., Metropolitan Life
Insurance Company, Owens Corning,
Owens-Illinois, Inc., Pittsburg Corning
Corporation, Quigley Company, Inc.,
United States Gypsum Company, Viacom,
Inc.,

25 Defendants.

**DECLARATION OF BENJAMIN B.
CASSIDAY III, IN SUPPORT OF PETITION
TO ADMIT ATTORNEY *PRO HAC VICE***

ORIGINAL

1 I, Benjamin B. Cassiday, III, hereby declare and state under penalty of perjury that the
2 following is true and based upon my personal knowledge and belief and if called to testify, I
3 could do so competently:

4 1. I submit this Declaration in Support of the Petition to Admit Attorneys Pro Hac
5 Vice. I am a solo practitioner. My business address is 5699 Kalaniana'ole Hwy. Honolulu,
6 Hawaii 96821. My residential address is 5699 Kalaniana'ole Hwy., Honolulu, HI. 96821 .

7 2. I am admitted to practice before the following courts on the dates indicated: the
8 Supreme Court of Hawaii since 1980; the U.S. District Court, District of Hawaii 1992.

9 3. I am a member in good standing of the bar of the State of Hawaii, and am eligible
10 to practice before all the courts in which I have been admitted to practice.

11 4. I have never been suspended or disbarred by any court.

12 5. I do not reside in Guam, am not regularly employed in Guam, and am not engaged
13 in business, professional or other activities in Guam.

14 6. Prior to this Petition, I have not made any *pro hac vice* applications to this Court.

15 7. Pursuant to Rules 17.1(e) of the Local Rules of the District Court of the Territory
16 of Guam, I hereby designate as local counsel in the above-captioned action, John S. Unpingco of
17 Lujan, Unpingco, Aguigui, & Perez, LLP., who is duly licensed and authorized to practice law
18 before all of the courts of Guam, and with whom this Court and opposing counsel may
19 communicate regarding the conduct of this case and upon whom papers shall be served in this
20 action. The written consent of Mr. Unpingco to act as local counsel is filed concurrently
21 herewith.

22 WHEREFORE, I pray that an Order be made admitting me *pro hac vice* to practice before
23 the United States District Court for the Territory of Guam for the pendency of the above-
24 captioned action.

25 ///

26 ///

1 I hereby declare under penalty of perjury under the laws of the Territory of Guam and of
2 the United States of America that the foregoing is true and correct and was executed this 2
3 day of May, 2005, in Honolulu, Hawaii.

4
5
6 
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BENJAMIN B. CASSIDAY, III, ESQ.

TPAUSDC Civil-A0019:
Declaration of BBC in Support of Petition to
Admit Attorneys Pro Hac Vice